

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

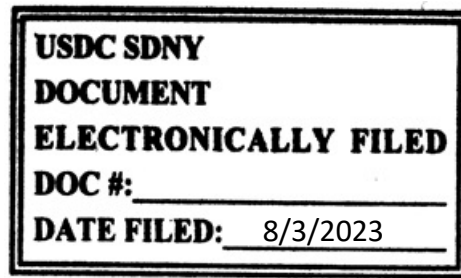
ORVILLE HALL and PHILLIP PRICE,
collectively professionally known as
"THE SHOWBOYS",

Plaintiffs,

-against-

PROTOONS INC.,

Defendant.



ORDER

1:21-CV-2043 (AT) (KHP)

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

Plaintiffs filed a letter motion to seal Exhibits M, N, and O to the Wlodinguer Decl. at ECF No. 92 in support of Plaintiffs' motion for summary judgment and redact related portions of Plaintiffs' Rule 56.1 Statement, Plaintiffs' memorandum of law in support of its summary judgment motion, the Wlodinguer Decl., and portions of the Plotnicki deposition attached as Exhibit I to the Wlodinguer Decl. because non-party Universal Music Publishing Group ("UMPG") has objected to the public filing of these documents. (ECF No. 83.)

Exhibits M, N, and O are documents produced in discovery by non-party UMPG with a "confidential designation" and are copies of Plaintiffs' earnings from royalties, the income generated, financial information regarding sampling and derivative works of Plaintiffs' work, and email negotiations regarding royalties, copyright interests, and other fees. (ECF No. 85.)

After review, the Court is satisfied that sealing the exhibits and redacting information is proper under *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). Given the nature of the documents as containing a non-party's private financial dealings and business information, the public right of access is outweighed by the non-parties' interests in privacy and

the protection of business and financial records. *Sec. & Exch. Comm'n v. Telegram Grp. Inc.*, 2020 WL 3264264, at *2 (S.D.N.Y. June 17, 2020) (citing *United States v. Amodeo*, 44 F.3d 141, 145 (2d Cir. 1995)).

The Clerk of the Court is directed to terminate the motion at ECF No. 83.

SO ORDERED

Dated: August 3, 2023
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge